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DRAFTED BY: EAP/CM:HRBORDIE:HRB

APPROVED BY: EAP:LORD

NSC:ALAKE S/S:MEGUEST

NSC:SBERGER NSC:JHARMON

CA:DDILLARD

EUR:JRKORNBLUM

EAP/CM:WAS

L/EAP:JKOV

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S/S-O:TCBR

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BEIJING PLEASE PASS TO CHENGDU FOR INFORMATION.

E.O. 12356: DEXL: OADR

TAGS: CASC, PHUM, PREL, CH

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DOC NUMBER: 953TAT165245

CHANNEL: n/a

SUBJECT: DEMARCHE IN RESPONSE TO THE ARREST OF HARRY WU

REF: (A) BEIJING 29570 (NOTAL) (B) BEIJING 29560 (NOTAL)
(C) BONN 13587 (NOTAL) (D) BEIJING 29383 (NOTAL)

1. CONFIDENTIAL - ENTIRE TEXT.

2. WE VERY MUCH REGRET THAT THE CHINESE AUTHORITIES HAVE DECIDED TO ARREST HARRY WU FOR ALLEGED CRIMES (REF A). WE WILL TAKE EVERY POSSIBLE STEP TO ENSURE THAT MR. WU'S RIGHTS UNDER THE U.S.-CHINA CONSULAR CONVENTION ARE PROTECTED, AND TO URGE THE CHINESE GOVERNMENT TO RELEASE HIM AS SOON AS POSSIBLE. THE DEMARCHES WHICH FOLLOW ARE AIMED AT UNDERLINING TO THE CHINESE GOVERNMENT, DIRECTLY AND THROUGH FRIENDLY CAPITALS, THAT THE CONTINUED IMPRISONMENT OF HARRY WU DOES SERIOUS DAMAGE TO BILATERAL RELATIONS BETWEEN THE U.S. AND CHINA.

3. (U) ACTION REQUEST FOR BEIJING: WE APPRECIATE EMBASSY BEIJING'S CONTINUING ACTIVE EFFORTS ON THE HARRY WU CASE, WHICH HAVE FINALLY RESULTED IN CHINESE AGREEMENT TO ALLOW US CONSULAR ACCESS TO MR. WU. AT THE EARLIEST OPPORTUNITY

AND AT THE HIGHEST AVAILABLE LEVEL, CHARGE IS REQUESTED TO MAKE THE FOLLOWING POINTS TO THE CHINESE GOVERNMENT:

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BEGIN POINTS:

-- WE PROFOUNDLY REGRET THE DECISION OF THE CHINESE AUTHORITIES TO ARREST HARRY WU. NOW THAT WE HAVE FINALLY RECEIVED AS REQUIRED BY OUR BILATERAL CONSULAR AGREEMENT CONSULAR ACCESS TO MR. WU, WE ASK FOR YOUR COOPERATION IN ENSURING FREQUENT AND CONTINUED ACCESS.

-- WE ARE PARTICULARLY CONCERNED ABOUT THE HEALTH OF MR. WU AND ENSURING THAT HE HAS ADEQUATE MEDICAL CARE AND STRONG LEGAL COUNSEL. AMERICAN PUBLIC OPINION IS CLEAR ON THIS ISSUE. THERE WILL BE CLOSE ATTENTION TO HOW MR. WU IS TREATED.

-- THE ARREST OF HARRY WU HAS ALREADY ELICITED SHARP CRITICISM OF CHINA IN THE U.S. CONGRESS AND IN THE MEDIA, AND THIS IS LIKELY TO INTENSIFY. THERE WILL ALMOST CERTAINLY BE CALLS FOR STRONG ACTION AGAINST CHINA. THIS WILL MAKE THE DIFFICULTIES IN OUR BILATERAL RELATIONSHIP

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EVEN HARDER TO MANAGE.

-- OUR GOVERNMENTS NEED TO WORK TOGETHER TOWARD CONSTRUCTIVE BILATERAL RELATIONS. THIS IS IN OUR MUTUAL INTERESTS AND IN THE INTERESTS OF REGIONAL AND GLOBAL STABILITY.

-- YOUR GOVERNMENT'S DECISION TO ARREST HARRY WU THREATENS TO MAKE MR. WU THE SYMBOLIC AND SUBSTANTIVE FOCUS OF ATTENTION IN BILATERAL RELATIONS, AN OBSTACLE TO PROGRESS ON ALL THE PRESSING ISSUES BEFORE US.

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-- WE THEREFORE URGE THE CHINESE GOVERNMENT TO PUT THIS ISSUE OUT OF THE WAY AND TO RELEASE HARRY WU AS SOON AS POSSIBLE. NO FURTHER PURPOSE CAN BE SERVED BY FURTHER PUNISHMENT OF MR. WU.

-- AS LONG AS HE REMAINS IN A CHINESE PRISON, THIS ISSUE WILL CONTINUE TO FESTER AND DO SEVERE HARM TO OUR RELATIONS.

END POINTS.

4. THE AFTERNOON OF JULY 7, ASSISTANT SECRETARY LORD DELIVERED SIMILAR POINTS BY PHONE TO CHINESE CHARGE ZHOU WENZHONG IN WASHINGTON, NOTING THAT THE SECRETARY WAS

PERSONALLY ENGAGED ON THIS ISSUE AND DEEPLY CONCERNED OVER THE CHINESE DECISION AND ITS IMPLICATIONS. ZHOU SAID HE WOULD CONVEY THE POINTS IMMEDIATELY TO HIS GOVERNMENT.

[REDACTED] LORD REPLIED THAT WHILE THAT MIGHT BE TRUE, THE REALITY WAS IT WOULD HAVE A SEVERE IMPACT ON THE RELATIONSHIP, ESPECIALLY WITH CONGRESS COMING BACK INTO SESSION AND THE MFN DEBATE UPON US.

5. BACKGROUND FOR OTHER ADDRESSEES: THE CHINESE FOREIGN MINISTRY ON JULY 8 INFORMED OUR CONSUL GENERAL IN BEIJING THAT THE HUMAN RIGHTS ACTIVIST HARRY WU HAS BEEN ARRESTED AND IS BEING HELD IN WUHAN, CHINA, PENDING JUDICIAL PROCESS. MR. WU HAS BEEN ACCUSED OF THREE CRIMES:

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REPEATEDLY ENTERING CHINA UNDER FALSE NAMES, STEALING
CHINESE STATE SECRETS, AND DISSEMINATING THOSE SECRETS TO
INSTITUTIONS AND ORGANIZATIONS OUTSIDE CHINA.

6. WE WERE ALSO INFORMED THAT WE WOULD BE ALLOWED
CONSULAR ACCESS TO MR. WU FOLLOWING NOTIFICATION TO
CHINA'S PUBLIC SECURITY AUTHORITIES. OUR EMBASSY
IMMEDIATELY DISPATCHED THE CONSUL GENERAL TO WUHAN WHERE
HE VISITED WITH MR. WU ON MONDAY, JULY 10. END BACKGROUND
FOR OTHER ADDRESSEES.

7. ACTION REQUEST FOR OTHER ADDRESSEES: POSTS ARE
REQUESTED TO RAISE THE FOLLOWING POINTS WITH APPROPRIATE
HOST GOVERNMENT AUTHORITIES AND ASK THAT THEY RAISE THE
ISSUE WITH CHINESE DIPLOMATIC REPRESENTATIVES:

BEGIN POINTS:

-- AS REPORTED IN THE MEDIA, THE WIDELY RESPECTED AMERICAN
HUMAN RIGHTS ACTIVIST HARRY WU, WHO WAS ORIGINALLY
DETAINED ON JUNE 19, HAS NOW BEEN ARRESTED BY CHINESE
SECURITY AUTHORITIES AND IS BEING HELD IN WUHAN, CHINA.

-- THE CHINESE HAVE ACCUSED MR. WU OF COMMITTING THREE
VIOLATIONS OF CHINESE LAW: REPEATEDLY ENTERING CHINA
UNDER FALSE NAMES, STEALING CHINESE STATE SECRETS, AND
DISSEMINATING THOSE SECRETS TO INSTITUTIONS AND
ORGANIZATIONS OUTSIDE CHINA.

-- AS YOU KNOW, OUR CONSUL GENERAL IN BEIJING WAS GRANTED
ACCESS TO MR. WU ON JULY 10.

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-- WE WOULD LIKE YOUR GOVERNMENT TO REQUEST THE CHINESE
GOVERNMENT TO RELEASE MR. WU IN THE INTERESTS OF PROMOTING
IMPROVEMENT IN SINO-U.S. RELATIONS.
WE REQUEST YOUR SUPPORT IN ENCOURAGING CHINA TO GRANT MORE
FREQUENT ACCESS THAN EVERY 30 DAYS (THE MINIMUM REQUIRED

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UNDER OUR CONSULAR CONVENTION).

-- PROGRESS TOWARD CONSTRUCTIVE BIATERAL RELATIONS IS NOT ONLY IN THE INTEREST OF THE U.S. AND CHINA, BUT ALSO SERVES THE INTERESTS OF REGIONAL AND GLOBAL STABILITY.

-- WE WOULD VERY MUCH APPRECIATE YOUR ASSISTANCE IN CONTACTING APPROPRIATE CHINESE DIPLOMATIC REPRESENTATIVES IN YOUR COUNTRY AND CALLING ON THEM TO RELEASE MR. WU AS SOON AS POSSIBLE, SO THAT WE CAN PUT THIS MATTER BEHIND US.

END POINTS AND ACTION REQUEST FOR OTHER ADDRESSEES.

8. FOR BUDAPEST AND BONN. WE BELIEVE IT WOULD BE ESPECIALLY EFFECTIVE IF HOST COUNTRY OFFICIALS RAISED THIS ISSUE DIRECTLY WITH CHINESE PRESIDENT JIANG ZEMIN DURING HIS OFFICIAL VISIT. EMBASSIES ARE REQUESTED TO MAKE THIS REQUEST WHILE DELIVERING THE ABOVE POINTS.
CHRISTOPHER

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*** Current Handling Restrictions *** n/a
*** Current Classification *** CONFIDENTIAL